

§ 3210. Prior and pending proceedings

For purposes of this chapter, proceedings commenced by any State regulatory authority (with respect to gas utilities for which it has rate-making authority) and any nonregulated gas utility before November 9, 1978, and actions taken before such date in such proceedings shall be treated as complying with the requirements of this chapter if such proceedings and actions substantially conform to such requirements. For purposes of this chapter, any such proceeding or action commenced before November 9, 1978, but not completed before such date shall comply with the requirements of this chapter, to the maximum extent practicable, with respect to so much of such proceeding or action as takes place after such date.

(Pub. L. 95-617, title III, §310, Nov. 9, 1978, 92 Stat. 3154.)

§ 3211. Relationship to other authority

Nothing in this chapter shall be construed to limit or affect any authority of the Secretary or the Commission under any other provision of law.

(Pub. L. 95-617, title III, §311, Nov. 9, 1978, 92 Stat. 3154.)

DEFINITIONS

The definitions of Secretary and Commission in section 2602 of Title 16, Conservation, apply to this section.

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§ 3301. Definitions

For purposes of this chapter—

(1) **Natural gas**

The term “natural gas” means either natural gas unmixed, or any mixture of natural and artificial gas.

(2) **Well**

The term “well” means any well for the discovery or production of natural gas, crude oil, or both.

(3) **New well**

The term “new well” means any well—

(A) the surface drilling of which began on or after February 19, 1977; or

(B) the depth of which was increased, by means of drilling on or after February 19, 1977, to a completion location which is located at least 1,000 feet below the depth of the deepest completion location of such well attained before February 19, 1977.

(4) **Old well**

The term “old well” means any well other than a new well.

(5) **Marker well**

(A) **General rule**

The term “marker well” means any well from which natural gas was produced in commercial quantities at any time after January 1, 1970, and before April 20, 1977.

(B) **New wells**

The term “marker well” does not include any new well under paragraph (3)(A) but includes any new well under paragraph (3)(B) if such well qualifies as a marker well under subparagraph (A) of this paragraph.

(6) **Reservoir**

The term “reservoir” means any producible natural accumulation of natural gas, crude oil, or both, confined—

(A) by impermeable rock or water barriers and characterized by a single natural pressure system; or

(B) by lithologic or structural barriers which prevent pressure communication.

(7) **Completion location**

(A) **General rule**

The term “completion location” means any subsurface location from which natural gas is being or has been produced in commercial quantities.

(B) **Marker well**

The term “completion location”, when used with reference to any marker well, means any subsurface location from which natural gas was produced from such well in commercial quantities after January 1, 1970, and before April 20, 1977.

(8) **Proration unit**

The term “proration unit” means—

(A) any portion of a reservoir, as designated by the State or Federal agency having regulatory jurisdiction with respect to production from such reservoir, which will be effectively and efficiently drained by a single well;

(B) any drilling unit, production unit, or comparable arrangement, designated or recognized by the State or Federal agency having jurisdiction with respect to production from the reservoir, to describe that portion of such reservoir which will be effectively and efficiently drained by a single well; or

(C) if such portion of a reservoir, unit, or comparable arrangement is not specifically provided for by State law or by any action of any State or Federal agency having regulatory jurisdiction with respect to production from such reservoir, any voluntary unit agreement or other comparable arrangement applied, under local custom or practice within the locale in which such reservoir is situated, for the purpose of describing the portion of a reservoir which may be effectively and efficiently drained by a single well.

(9) **New lease**

The term “new lease”, when used with respect to the Outer Continental Shelf, means a lease, entered into on or after April 20, 1977, of submerged acreage.

(10) **Old lease**

The term “old lease”, when used with respect to the Outer Continental Shelf, means any lease other than a new lease.

(11) **New contract**

The term “new contract” means any contract, entered into on or after November 9, 1978, for the first sale of natural gas which was not previously subject to an existing contract.

(12) **Rollover contract**

The term “rollover contract” means any contract, entered into on or after November 9, 1978, for the first sale of natural gas that was previously subject to an existing contract which expired at the end of a fixed term (not including any extension thereof taking effect on or after November 9, 1978) specified by the provisions of such existing contract, as such contract was in effect on November 9, 1978, whether or not there is an identity of parties or terms with those of such existing contract.

(13) **Existing contract**

The term “existing contract” means any contract for the first sale of natural gas in effect on November 8, 1978.

(14) **Successor to an existing contract**

The term “successor to an existing contract” means any contract, other than a roll-